

10-22-07

REQUEST FOR REFUND	Application #	10/512,097
	Confirmation #	9110
	Filing Date	May 17, 2005
	First Inventor	SIMONSEN
	Art Unit	1656
	Examiner	Wax, Robert A.
	Docket #	P08422US00/MP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

S I R:


On August 27, 2007, a charge was posted to the Deposit Account of the undersigned, Deposit Account No. 12-0555, in the amount of \$500 (Seq. 1; Fee Code 1402 "filing a brief in support of an appeal (large entity)"). It is believed that this charge was made in error for the following reasons.

On February 28, 2007 a payment was made by the undersigned to American Express Credit Card, Account Number: [REDACTED] 009, (Expiration Date: 12/09; Name on Credit Card: L&T US PTO FEES; Billing Address: same as below), in the amount of \$620 (\$500 for an Appeal Brief and \$120 for a one month extension of time, both at a large entity rate).

It appears that the Office incorrectly applied this payment to Serial No. 11/512,097, rather than to this application, 10/512,097.

Accordingly, it is respectfully requested that the Office apply the \$620 payment already made by the undersigned to the correct application number, and that a refund of \$500 be credited (in the same manner by which the extra fee was paid) to Deposit Account No. 12-0555.

Respectfully submitted,
STITES & HARBISON PLLC


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Registration No. 22752

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(703) 739-4900

October 22, 2007



Customized PTO/SB/22 (09-06)

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)	Application #	10/512,097
	Confirmation #	9110
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This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and fee under 37 CFR 1.17(a) are as follows.

☐ NOTE: Applicant claims small entity status.

No extension of time previously obtained.		
<u>Time Period</u>	<u>Large Entity Fee</u>	<u>Small Entity Fee</u>
<input checked="" type="checkbox"/> One month	<input checked="" type="checkbox"/> \$ 120	<input type="checkbox"/> \$ 60
<input type="checkbox"/> Two months	<input type="checkbox"/> \$ 450	<input type="checkbox"/> \$ 225
<input type="checkbox"/> Three months	<input type="checkbox"/> \$ 1020	<input type="checkbox"/> \$ 510
<input type="checkbox"/> Four months	<input type="checkbox"/> \$ 1590	<input type="checkbox"/> \$ 795
<input type="checkbox"/> Five months	<input type="checkbox"/> \$ 2160	<input type="checkbox"/> \$ 1080

☒ Payment by credit card. FORM PTO-2038 in the amount of \$120 is attached.

☒ The Director is authorized to charge any fee or additional fee due in connection herewith to Deposit Account No. 12-0555:

- (1) if no payment or an insufficient payment is enclosed and a fee is due in connection herewith; or
- (2) if a further fee and petition for extension of time are required at this time - and in this event, applicant hereby petitions under 37 CFR 1.136(a) for any further extension of time of as many months as are required to render this submission timely.

Date: February 28, 2007

Signed By
Attorney of Record

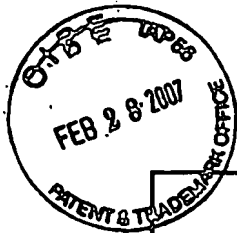
Name: Marvin Potry
Registration No.: 22,752

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Adjustment date: 11/08/2007 SFELEKE1
03/01/2007 JADD01 00000037 11512097
02 FC:1402 -500.00 DP

90LT:20192:43645:1:ALEXANDRIA

11/08/2007 SFELEKE1 00000005 120.00 DP
02 FC:1251



**APPEAL BRIEF UNDER
37 C.F.R. § 41.37**

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Mail Stop Appeal Brief- Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

**APPEAL FROM THE FINAL REJECTION
MAILED JULY 26, 2006**

Adjustment date: 11/08/2007 SFELEKE1
03/01/2007 JADD01 00000037 11512097
01 FC:1251 -120.00 OP

11/08/2007 SFELEKE1 00000005 10512097
01 FC:1402 500.00 OP

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02 FC:1402 500.00 OP

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United States Patent and Trademark Office
Sales Receipt for Accounting Date: 08/27/2007

RTYSON SALE #00000001 Mailroom Dt: 02/28/2007 120555 10512097
01 FC:1402 500.00 DA

Adjustment date: 11/08/2007 SFELEKE1
08/27/2007 RTYSON 00000001 120555 10512097
01 FC:1402 500.00 CR